

2008 NOV 20 PM 4: 50

Received US Bank

NOV 18 2008

Gov't. LBX Operations PATENT

Attorney Docket No. 67797-5001-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

In re Patent of:

David A HORWITZ

U.S. Patent No.: 6,228,359

Issued: 08-May-2001

Application No.: 09/186,771

Filed: 05-Nov-1998

For: *USE OF CYTOKINES AND MITOGENS
TO INHIBIT PATHOLOGICAL IMMUNE
RESPONSES*

VIA EXPRESS MAIL:

"EXPRESS MAIL" MAILING LABEL

Number: EV 892909777USDate of Deposit: November 17, 2008

This paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the

NOV 26 2008

OFFICE OF PETITIONS

**NOTIFICATION REGARDING CHANGE FROM
SMALL ENTITY STATUS TO
LARGE ENTITY STATUS
UNDER 37 C.F.R. §1.27(a)**

U.S. Patent and Trademark Office
P. O. Box 979070
St. Louis, MO 63197-9000
Attn: MAINTENANCE FEE

Sir:

At the time of filing the above-identified patent application, Applicant claimed Small Entity Status. This patent became ineligible for Small Entity Status under 37 C.F.R. §1.27(a) when Applicant was acquired by a Large Entity.

On October 31, 2008, Patentee electronically paid the 7 ½ year maintenance fee of \$1240 at the small entity rate. At this time Patentee has enclosed the Maintenance Fee Transmittal Form for payment of the remainder of the 7 ½ year maintenance fee of \$1240, along with authorization for the Commissioner to charge this difference between the small entity fee and the large entity fee, together

2008 NOV 20 PM 4: 50

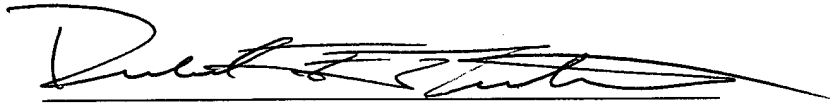
Application No.: 09/186,771

U.S. Patent No.: 6,228,359

with the \$130 surcharge for payment in the grace period, and any other required fees, including extension fees, or credit any overpayment, to Deposit Account No. 50-0310 (Attorney Docket No. 67797-5001-US).

Respectfully submitted,

Nov 17, 2008
Dated


Richard F. Trecartin, Reg. No. 31,801

MORGAN, LEWIS & BOCKIUS LLP
One Market, Spear Street Tower
San Francisco, California 94105
Tel: 415.442.1000
Fax: 415.442.1001

Customer No. 67374

2008 NOV 20 PM 4: 50

Substitute PTO/SB/45 (08-07)

MAINTENANCE FEE TRANSMITTAL FORM
(Do not submit this form electronically via EFS-Web)

Address to:
U.S. Patent and Trademark Office
P.O. Box 979070
St. Louis, MO 63197-9000

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: "U.S. Patent and Trademark Office, P.O. Box 979070, St. Louis, MO 63197-9000"
EXPRESS MAIL NO. EV 892909777US

On: November 17, 2008

Signature: Richard J. Guttierrez

Typed or printed name: Richard J. Guttierrez

RECEIVED

NOV 26 2008

- OR -

Fax to: 571-273-6500

OFFICE OF PETITIONS

Enclosed herewith is the payment of the maintenance fee(s) for the listed patent(s).

1. ☐ A check for the amount of \$ _____ for the full payment of the maintenance fee(s) and any necessary surcharge on the following patents is enclosed.
2. ☐ Payment by credit card. Form PTO-2038 is attached.
3. ☒ The Commissioner is hereby authorized to charge \$ 1,240 to cover the difference between the previous small entity payment on October 31, 2008 and the current large entity fees indicated below to Deposit Account No. 50-0310.
4. ☒ The Commissioner is hereby authorized to charge any deficiency in the payment of the required fee(s) or credit any overpayment to Deposit Account No. 50-0310.

*Information required by 37 C.F.R. 1.366(c) (columns 1 & 4). Information requested under 37 C.F.R. 1.366(d) (columns 2, 3, & 5)

Item	Patent Number*	U.S. Application Number* [06/555,555]	Maintenance Fee Amount (37 C.F.R. 1.20 (e)-(g))	Surcharge Amount (37 C.F.R. 1.20 (h))	Payment Year (select one below) Column 5		
	Column 1	Column 2	Column 3	Column 4	3.5 yrs	7.5 yrs	11.5 yrs
1	6,228,359	09/186,771	\$1,240	\$130		X	
2							
3							
4	08 704042 00000042 500310	6228359					
5	1370.00 DA						
6							
Subtotals Columns 3 & 4					<input type="checkbox"/> additional sheets attached for listing additional patents.		
Total Payment			\$1,370				

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Respectfully submitted,**

Fee Address:

Customer's name: Richard F. Trecartin
Reg. No. 31,801

Morgan, Lewis & Bockius LLP
One Market, Spear Street Tower,
San Francisco, California 94105

Telephone: **415.442.1000**

Fax: **415.442.1001**

Customer's Signature: [Signature]

Note: All correspondence will be forwarded to the "Fee Address" or to the "Correspondence Address" if no "Fee Address" has been provided. See 37 C.F.R. 1.363.

Payment of small entity fee is appropriate if small entity status still exists, see 37 C.F.R. 1.27(g). To establish small entity status or to change status from small to large entity, a written assertion is required. See 37 C.F.R. 1.27 and 1.33(b).

** WHERE MAINTENANCE FEE PAYMENTS ARE TO BE MADE BY AUTHORIZATION TO CHARGE A DEPOSIT ACCOUNT, BOTH THE NAME AND SIGNATURE OF AN AUTHORIZED USER ARE REQUIRED.